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PATENT
ATTORNEY DOCKET NO. 041465-5109

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tomohiro KIMURA)

Confirmation No.: 9323)

Application No.: 09/838,259)

Group Art Unit: 2621)

Filed: April 20, 2001)

Examiner: *To Be Assigned*)

For: IMAGE CHANGE DETECTING)
APPARATUS AND IMAGE CHANGE)
DETECTING METHOD, IMAGE)
ENCODING APPARATUS AND)
INFORMATION RECORDING)
MEDIUM WITH IMAGE CHANGE)
DETECTING PROGRAM RECORDED)
READABLE BY COMPUTER)

#3
11-25-02

Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application.

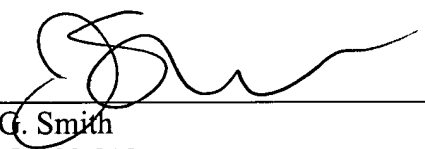
The listed documents were each cited in an European Search Report from a corresponding case dated October 7, 2002. A copy of each listed document is attached, along with a copy of the European Search Report. Applicants respectfully request that the Examiner consider the listed documents and European Search Report and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the Claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



John G. Smith
Reg. No. 33,818

Date: November 15, 2002

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